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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,560	03/01/2004	Tadashi Oba	1737.33	9729
24040	7590	11/28/2007	EXAMINER	
DENNIS G. LAPOINTE			RODRIGUEZ, LENNIN R	
LAPOINTE LAW GROUP, PL				
PO BOX 1294			ART UNIT	PAPER NUMBER
TARPON SPRINGS, FL 34688-1294			2625	
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			11/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/790,560	OBA, TADASHI
	Examiner	Art Unit
	Lennin R. Rodriguez	2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 March 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-10 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 01 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application
 6) Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- (1) 4 in Fig. 1;
- (2) 2 and 3 in Fig. 2;
- (3) 1 and 3 in Fig. 3;
- (4) 1, 3 and 4 in Fig. 4 and Fig. 5;
- (5) 1, 3, 4 and 7 in Fig. 6;
- (6) 1-2 and 5 in Fig. 7;
- (7) 1-2, 4-5 and 8 in Fig. 8;
- (8) 8 and 4 in Fig. 10;
- (9) 8-9 and 4 in Fig. 11.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37

CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 5 and 7-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A "computer provided plate making method ... provided as a computer program" is being recited; however, a computer executable program would reasonably be interpreted by one of ordinary skill in the art as software, *per se*. This subject matter is not limited to that which falls within a statutory category of invention because it is limited to a process, machine, manufacture, or a composition of matter. Software is a function descriptive material and a function descriptive material is non-statutory subject matter.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4-5, 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woo, Jr. et al (US 5,282,267) in view of Endo et al. (RE. 34,859) and well known prior art.

(1) regarding claim 1:

Woo '267 discloses a coordinate layout numbering step (column 4, lines 61-63, where there is a page number parameter for numbering pages or background), based on an original document or an instruction received from a client (column 4, lines 61-63, the user inputs the parameter), of allocating for a page creation area screen the location and the size of character data and/or image data (column 6, lines 24-31, where the size is being allocated and column 6, lines 57-62), which are represented by specific blocks using absolute coordinates (column 3, lines 29-37, column 4, lines 16-17 state that the input parameters section is called blocks), and of adding layout numbers to corresponding character data and/or image data (column 4, lines 61-63, where there is a page number parameter for numbering pages or background);

a character data input step of entering the character data to which the layout number has been added (column 4, lines 41-60, where the data is being entered), and of creating, for each of the blocks represented by the absolute values, a file that includes information for a printing color (column 3, lines 26-30, where black and white are being interpreted as color information and the information is being saved in memory) and a size (Q's) (column 6, lines 50-56, where dimensions is being interpreted as size information); and

an image data input step of reading the image data to which the layout number has been added and defining the image data as files corresponding to the layout numbers (column 1, lines 65-68 and column 2, lines 1-3, where the bitmap image is placed in memory as a file),

whereby, based on proofread letters, a correction is performed for each of the files (column 2, lines 30-34).

Woo '267 discloses all the subject matter as described above except a computer supported plate making method and a file that includes information for a font type.

However, Endo '859 teaches a computer supported plate making method (column 1, lines 47-41, where a document is being sent to the plate making apparatus).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a computer supported plate making method as taught by Endo '859 in the system of Woo '267. Having this it allows a document created in a computer to be sent to a plate making machine in order to produce a plate out of the document.

Woo '267 and Endo '859 disclose all the subject matter as described above except a file that includes information for a font type.

However it is well known in the art that part of the information stored in memory about a document is the font type.

(Official Notice)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a file that includes information for a font type. With

this the information stored by the system is complete and it assures the user that they would have the same output, even if they used the document in a different machine other than the one they used for creating the document.

(2) regarding claim 2:

Woo '267 further discloses whereby, for a correction based on proofreading letters, a file copy of an original file for which a layout number has been provided is corrected (column 2, lines 30-34), and during the inspection, to easily perform a comparison, the original file and the corrected file copy are superimposed on each other on a corresponding block (column 8, lines 61-68 and column 9, lines 1-8, where the documents are juxtaposed).

(3) regarding claim 4:

Woo '267 and Endo '859 disclose all the subject matter as described above except whereby, to perform comparison more easily, the original file and the file copy are slightly displaced relative to each other, and are superimposed on each other on display.

However it is well known in the art that to perform comparison more easily, the original file and the file copy are slightly displaced relative to each other, and are superimposed on each other on display.

(Official Notice)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perform comparison more easily, the original file and the file copy are slightly displaced relative to each other, and are superimposed on each

other on display. With this the user makes sure he/she is proofreading the file correctly and allows for double checking any previous proofing made just by over-imposing a file and a copy.

(4) regarding claims 5, 7 and 9:

Woo '267 further discloses whereby the steps of a plate making process, including the coordinate allocation numbering step, the character data input step, the image data input step and the proofreading based correction step, are provided as a computer program (column 6, lines 63-68 and column 7, lines 1-6, where the invention can also be preformed by programming means).

6. Claims 3, 6, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woo, Jr. et al (US 5,282,267), Endo et al. (RE. 34,859) and well known prior art as applied to claims above, and further in view of Davenport (US 2002/0184022).

(1) regarding claim 3:

Woo '267, Endo '859 and well known prior art disclose all the subject matter as described above except whereby, to perform comparison more easily, the original file and the file copy are displayed in different colors.

However, Davenport '022 teaches whereby, to perform comparison more easily, the original file and the file copy are displayed in different colors (paragraph [0027], where the characters are displayed in different colors).

(2) regarding claim 4:

Woo '267 and Endo '859 disclose all the subject matter as described above except whereby, to perform comparison more easily, the original file and the file copy

are slightly displaced relative to each other, and are superimposed on each other on display.

However it is well known in the art that to perform comparison more easily, the original file and the file copy are slightly displaced relative to each other, and are superimposed on each other on display.

(Official Notice)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perform comparison more easily, the original file and the file copy are slightly displaced relative to each other, and are superimposed on each other on display. With this the user makes sure he/she is proofreading the file correctly and allows for double checking any previous proofing made just by over-imposing a file and a copy.

(3) regarding claims 8 and 10:

Woo '267 further discloses whereby the steps of a plate making process, including the coordinate allocation numbering step, the character data input step, the image data input step and the proofreading based correction step, are provided as a computer program (column 6, lines 63-68 and column 7, lines 1-6, where the invention can also be performed by programming means).

Conclusion

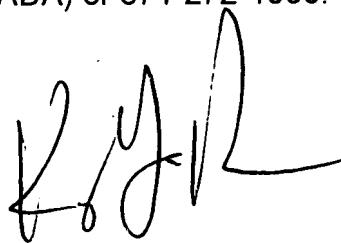
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571)

270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lennin Rodriguez
11/26/07



KING Y. POON
SUPERVISORY PATENT EXAMINER